



Tennessee Court Clerk's Guide

Locating an Interpreter For Limited English Proficiency (LEP) Cases*

*The AOC has funding to pay for interpreter costs:

1. During court hearings in juvenile, general sessions, trial and appellate courts
2. Whether the case is a civil case or a criminal case
3. Whether the parties are found indigent or not

Locating an Interpreter

Appointing an interpreter is a matter of judicial discretion.

It is the responsibility of the court to determine whether a participant in a legal proceeding has a limited ability to understand and communicate in English. Once the judge has determined the language needed and has entered an order for an interpreter to be appointed, an interpreter should be located with the following preferences, as evidenced in Tenn. Supreme Court Rule (SCR) 42:

- (1) Certified
- (2) Registered
- (3) Non-Credentialed

It is important to locate credentialed interpreters because certified interpreters have passed all exams that SCR 42 requires credentialed interpreters to take; and registered interpreters are either waiting to take the oral exam or have not passed all parts. Non-credentialed interpreters either have not been tested or have not passed any exam.

The AOC maintains a roster of interpreters at www.tncourts.gov. At the top of the AOC webpage, put your cursor on "Programs". A drop down menu appears – click on "Court Interpreters". On the left hand side of the page, click on "Find a Court Interpreter". Follow instructions to find a list of interpreters for the language needed. The roster is arranged alphabetically by city. If no interpreter is listed on the roster for the language you need, please contact the AOC at (615) 741-2687.

*****Credentialed interpreters are willing to travel statewide. Should there not be a credentialed interpreter in your county, please contact one in another locality.***

When to Use a Non-Credentialed Interpreter

A non-credentialed interpreter may be appointed upon a finding that diligent, good faith efforts to obtain the certified or registered interpreter have been made and none has been found to be reasonably available. If a language is not listed on the court roster, services of a non-credentialed interpreter may be utilized.

Unacceptable examples for using an interpreter (list is not exhaustive)

- Finding someone who works across the street at the Mexican restaurant because an interpreter is needed on a short notice
- Previously retired bailiff that has minimal foreign language skills, but understands a little Spanish
- Relatives or friends of the defendant
- Someone who volunteers at the courthouse and speaks Spanish

When non-credentialed interpreters are used, there is a high possibility of misinterpretation that can directly affect the outcome of a case.

When To Locate Multiple Interpreters

If the court expects the hearing or trial to last for several hours or days, the court may wish to appoint two interpreters. Due to the level of concentration required to accurately conduct a simultaneous interpretation, interpreters require frequent breaks. If the court appoints two interpreters, they can conduct a continuous interpretation by alternating, thereby allowing the court to conduct the proceedings without unnecessary delays or interruptions.

Rules that Govern the Appointment, Credentialing, and Compensation of Interpreter

Tenn. S. Ct. Rules 41, and 42
Tenn. R. Evid. 604
Tenn. Code Ann. § 16-3-813



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Interpreter Compensation
Spanish

Certified interpreters are compensated at a rate not to exceed \$50 per hour, with a \$500 daily max.

Registered interpreters are compensated at a rate not to exceed \$40 per hour, with a \$400 daily max.

Non-credentialed interpreters are compensated at a rate not to exceed \$25 per hour, with a \$250 daily max.

Languages Other Than Spanish(LOS)

LOS Interpreters are compensated at a rate not to exceed \$75 per hour, and the maximum per day rate of \$500 unless a court makes written findings that a higher maximum hourly/per day rate is inadequate to secure the services of a qualified interpreter for an LOS interpreter.

Interpreters are also paid a 2 hour minimum per day if in-court interpretation is provided. Travel time is included within the 2 hour minimum.

Review or transcription/translation of audio or video tapes is compensated according to the rates above.

Document translation is compensated at a rate of \$.20 per word.

For more information contact:

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